



US Army Corps
of Engineers
St Paul District

APPLICANT: City of Mankato

Public Notice

ISSUED: 03 April 2003
EXPIRES: 03 May 2003

REFER TO: 03-03340-DAS

SECTION: 404 - Clean Water Act

1. APPLICATION FOR PERMIT TO drain a total of 22.8 acres of wetland in conjunction with a storm water drainage improvement project at the Mankato Regional Airport.

2. SPECIFIC INFORMATION.

APPLICANT'S ADDRESS: 10 Civic Center Plaza
P.O. Box 3368
Mankato, MN 56001
(507) 387-8634

AGENT: William Douglass
1960 Premier Drive
Mankato, MN 56001
(507) 625-4171

PROJECT LOCATION: The project site is located in the NE 1/4 SE 1/4 Sec. 26, T. 109N., R. 26W., Blue Earth County, Minnesota. The approximate UTM coordinates are Zone 15, North 4896084, East 426963.

DESCRIPTION OF PROJECT: The applicant has proposed the construction of a twelve-inch, storm sewer pipe with intakes, to drain two wetlands located at the south end of the existing runways. The storm sewer would be routed through the existing wetlands and be outletted into a proposed dry detention pond to be constructed on the existing airport property to the west-southwest of the existing wetlands. The existing wetlands attract geese which present a safety hazard to approaching and departing aircraft. The applicant is also considering a future runway extension project which would bring the runway closer to the existing wetlands.

QUANTITY, TYPE, AND AREA OF FILL: Wetland hydrology would be removed from two wetlands as a result of the storm sewer. A total of 22.8 acres of wetland would be converted to non-wetland. The impacts are described as follows: Wetland Impact 1 would eliminate 17.1 acres of Type 3 (shallow marsh) wetland. Wetland Impact 2 would eliminate 5.7 acres of Type 2 (wet meadow) wetland.

VEGETATION IN AFFECTED AREA: Wetland 1 is dominated by reed canary grass. Wetland 2 is dominated by reed canary grass and meadow willow.

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SURROUNDING LAND USE: The wetland areas are completely on airport property. The areas are adjacent to grassed areas on the north side, which are mowed as part of the airport maintenance. The area to the south of the wetlands is in agricultural production. The land use adjacent to the airport property is agricultural and residential.

MITIGATION: The applicant has proposed the creation of 28.91 acres of new wetland as compensatory mitigation for the proposed wetland impacts. The wetland would be constructed approximately 3 miles west of the proposed impacts in Sec. 32, T. 109N., R. 26W., Blue Earth County, Minnesota. The site is located in the Sakatah Industrial Park and is currently open grassland consisting of smooth brome, giant foxtail, common foxtail and common switchgrass. The existing wetlands basins on the site would not be impacted by the new wetland construction. Two berms would be constructed to create an East Wetland measuring 10.17 acres and a West Wetland measuring 10.17 acres. An additional 22.37 acres of upland buffer would also be provided adjacent to the created wetlands and planted with a mesic prairie and a wet prairie seed mix.

3. REPLIES/COMMENTS.

Interested parties are invited to submit to this office written facts, arguments, or objections within 30 days of the date of this notice. These statements should bear upon the suitability of the location and the adequacy of the project and should, if appropriate, suggest any changes believed to be desirable. Comments received may be forwarded to the applicant.

Replies may be addressed to Regulatory Branch, St. Paul District, Corps of Engineers, Attn: CO-R, 1114 South Oak Street, La Crescent, MN 55947-1338.

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call David A. Studenski at the La Crescent office of the Corps, - telephone number (507) 895-2064.

4. FEDERALLY-LISTED THREATENED OR ENDANGERED WILDLIFE OR PLANTS OR THEIR CRITICAL HABITAT.

None were identified by the applicant or are known to exist in the permit area. However, Blue Earth County is within the known or historic range of the following Federally-listed threatened species:

<u>Species</u>	<u>Habitat</u>
Bald eagle	Wintering

This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments it may have concerning Federally-listed threatened or endangered wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

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5. JURISDICTION.

This project comes under the regulatory jurisdiction of the Corps of Engineers because the impacted wetlands are adjacent to a tributary to the Minnesota River, a navigable water of the United States.

REGULATORY AUTHORITY: This application will be reviewed according to the provisions of Section 404 of the Clean Water Act. Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 Code of Federal Regulations 230).

THE APPLICANT HAS STATED THAT THE FOLLOWING STATE, COUNTY, AND/OR LOCAL PERMITS HAVE BEEN APPLIED FOR/ISSUED: The City of Mankato, acting as the Local Government Unit, is reviewing the project for compliance with the Minnesota Wetland Conservation Act.

6. STATE SECTION 401 WATER QUALITY CERTIFICATION.

Valid Section 404 permits cannot be issued for any activity unless state water quality certification for the activity is granted or waived pursuant to Section 401 of the Clean Water Act. The state Section 401 authority in Minnesota is the Minnesota Pollution Control Agency (MPCA). The St. Paul District has provided this public notice and a copy of the applicant's Section 404 permit application form to the MPCA. If MPCA needs any additional information in order for the Section 401 application to be considered complete by MPCA, the MPCA has indicated that it will request such information from the applicant. It is the permit applicant's responsibility to ensure that the MPCA has received a valid, complete application for state Section 401 certification and to obtain a final Section 401 action from the MPCA.

The MPCA has indicated that this public notice serves as its public notice of the application for Section 401 water quality certification under Minnesota Rules Part 7001. The MPCA has also indicated that the Section 401 process shall begin to commence upon the issuance date of this public notice unless the MPCA notifies both the St. Paul District and the permit applicant to the contrary, in writing, before the expiration date of this public notice.

The MPCA has eliminated the staffing resources for the Section 401 certification program due to budgetary limitations. Due to staff reductions, MPCA is intending to waive many section 401 certification applications with limited exceptions but the MPCA reserves the right and authority to proceed differently if extreme or unique circumstances merit a different approach. In many cases, the waiver of 401 certification means that the MPCA has not reviewed federally permitted projects in detail for conformance with state water quality standards nor has the MPCA made a determination of the proposal's compliance with state water quality standards. This waiver action, however, will not exempt the applicant from the responsibility of complying with all applicable water quality standards and requirements as contained in Minn. R. ch. 7050 and all other applicable state rules regarding water quality. The applicant will

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need to make a self-determination of water quality compliance of their proposal. In the event of water quality violations caused by the applicant's project, enforcement action may be taken by the MPCA.

Any comments relative to MPCA's intention to waive Section 401 Certification for the activity proposed in this public notice may be sent to:

Minnesota Pollution Control Agency
Regional Environmental Management Division
Attention 401 Certification
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

7. HISTORICAL/ARCHAEOLOGICAL.

This public notice is being sent to the National Park Service, the State Archaeologist, and the State Historic Preservation Officer to determine if there are known cultural resources which may be affected by the described work. Any unknown archaeological, scientific, or historical data could be lost or destroyed by the work described in the permit application. However, the latest version of the National Register of Historic Places has been consulted and no listed properties (known to be eligible for inclusion, or included in the Register) are located in the project area.

8. PUBLIC HEARING REQUESTS.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, in detail, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

9. PUBLIC INTEREST REVIEW.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the

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needs and welfare of the people. Environmental and other documents will be available for review in the St. Paul District Office.

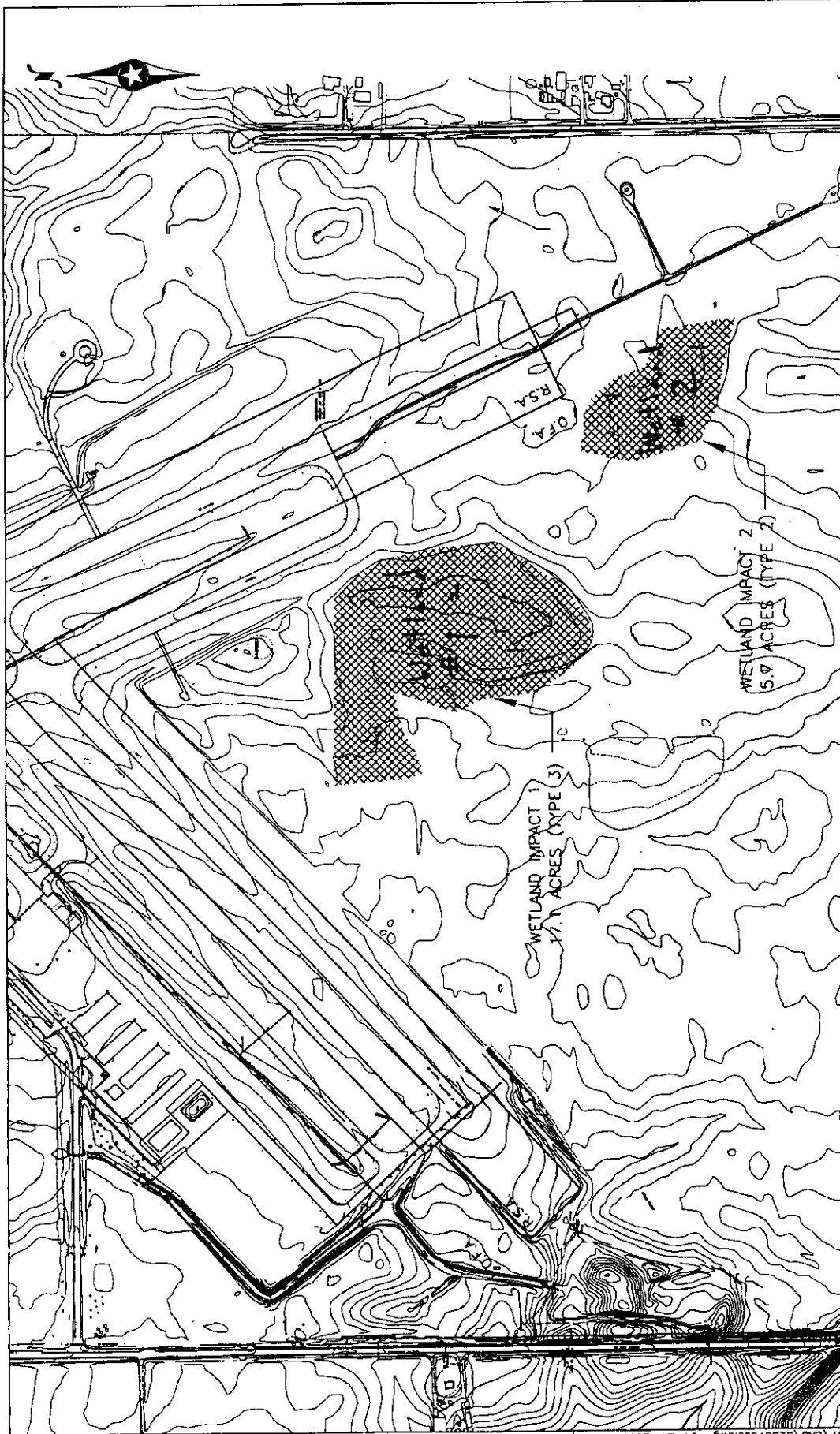
The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.


Julett Denton
Chief, Out-State Minnesota Section

Enclosures

NOTICE TO EDITORS: This public notice is provided as background information and is not a request or contract for publication.

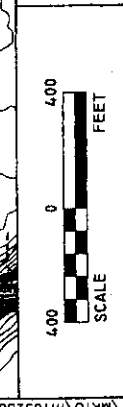
Wetland Location Map



CITY OF MANKATO
MANKATO AIRPORT DRAINAGE IMPROVEMENTS
OVERHEAD VIEW - IMPACT SITES
FEBRUARY, 2003

CITY OF MANKATO
ENGINEERING
DEPARTMENT

BOLTON & MENK, INC.
CONSULTING ENGINEERS & SURVEYORS
MANKATO, MN FARMINGTON, MN SLEEPY EYE, MN WILMAR, MN
BURNSVILLE, MN CHASKA, MN AMES, IA LIBERTY, MO



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DEPARTMENT OF THE ARMY
St. Paul District, Corps of Engineers
Army Corps of Engineers Centre
190 Fifth Street East
St. Paul, Minnesota 55101-1638

OFFICIAL BUSINESS
REGULATORY BRANCH
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POSTMASTER: Please Post Until Notice Expires